IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Cont.Case(C).No.1195 of 2006(S)

(ARISING FROM THE JUDGEMENT IN W.P.(C).NO.23146/2005-E DATED 15/10/2005).

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PETITIONER:-

LISY SIMON,
W/O.SIMON, AGED 46 YEARS,
THENGUMKALAYIL HOUSE,
ALPARA, KANNARA P.O., THRISSUR.

BY ADV. SRI.I.DINESH MENON

RESPONDENT:-

SRI.SYED MOHAMMED,
(FATHER'S NAME & AGE NOT KNOWN TO THE PETITIONER)
SECRETARY, REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM,

BY SENIOR GOVERNMENT PLEADER SMT.MEERA.

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.Dattu,C.J. & K.T.Sankaran,J.

Cont. Case (C).No.1195 of 2006-S

Dated, this the 26th day of June, 2007

JUDGMENT

H.L.Dattu,C.J.

The petitioner was before this Court in W.P.(C).No.23146 of 2005 seeking certain directions to the respondent in the writ petition. This Court by order dated 15.10.2005 was pleased to dispose of the writ petition by issuing the following directions:

> "I heard the learned Government Pleader also. In view of the recent Division Bench decision of this Court in OP.No.12774/97 and connected cases, Circular 3/97 no longer remains in force. Accordingly, the Secretary, RTA, Malappuram is directed to issue the permit granted as per Ext.P2, after settling the time schedule within three months from the date of receipt of a copy of this judgment. It is made clear that the Secretary will be free to fix the running time, having regard to the nature of the route and also the views of the petitioner".

2. Alleging that the respondent has not complied with the orders and directions issued by this Court in the aforesaid writ petition, the present contempt petition has been filed by the petitioner before this Court.

3. After service of notice, the respondent has entered his appearance and has filed his detailed affidavit and along with that he has produced the proceedings of the Regional Transport Authority, Malappuram dated 30.01.2006.

4. Having gone through the orders passed by the learned Single Judge and the pleadings in the contempt petition and also the proceedings of the R.T.A., Malappuram dated 30.1.2006, we are of the firm opinion that the respondent has substantially complied with the orders and directions issued by this Court. Therefore, the contempt petition need not be proceeded further. Accordingly, the contempt proceedings requires to be dropped and it is dropped.

5. Liberty is reserved to the petitioner, if she so desires, to question the correctness or otherwise of the proceedings of the R.T.A., Malappuram dated 30.1.2006 before the appropriate forum in appropriate proceedings.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-